

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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JAMES O. BROWNING
District Judge

September 27, 2011

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Re: Genesee County Employees' Retirement System v. Thornburg Mortgage,
No. CIV 09-0300 JB/KBM

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Dear Counsel:

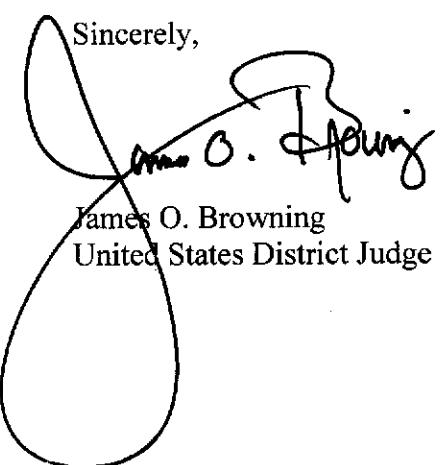
I want to bring one matter to your attention. I have, with my law clerks, reviewed the Judicial Code of Conduct and do not believe this matter requires me to recuse myself. I want, however, everyone to be fully informed about, and fully comfortable with, my participation in the case.

I had educational savings accounts for two of my children at A.G. Edwards, and a while back, had a third. My father also had educational accounts for my children at A.G. Edwards, for which I gave him the money. I think my father's accounts for my children are exhausted. I also established Roth IRA's for my children at A.G. Edwards, and the accounts remain there. The two remaining education accounts and the three IRA's contain money and investments in mutual funds. It is my understanding that Wachovia and now Wells Fargo has taken over A.G. Edwards. I also have a checking account and my mortgage at Wells Fargo. Furthermore, I recently bought a second house, and I attempted to use Wells Fargo on that mortgage as well; I ended up, however, using First National Bank of Santa Fe. I do not own any stock in Wachovia or in Wells Fargo.

I believe that I can continue to be fair and impartial. If anyone, however, has any questions about the above, please let my Courtroom Deputy Clerk, K'Aun Wild, know, and we can perhaps have a conference call. I have instructed Mrs. Wild not to tell me who may call.

Best regards.

Sincerely,


James O. Browning
United States District Judge